

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK**

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UNITED STATES OF AMERICA,

v.

20-CR-80-A  
**ORDER**

COURTLAND RENFORD,

Defendant.

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*Pro se* Defendant, Courtland Renford, is currently serving a 60-month sentence, imposed on December 21, 2021, after pleading guilty to riot, in violation of 18 U.S.C. 2101(a). The Defendant did not appeal his conviction or sentence, nor has he filed a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2255.

The Defendant has, however, filed a *pro se* motion (Dkt. No. 115) for free copies of his “docket sheet” and “sentencing transcripts dated 12-21-2021.” For the reasons stated below, the Defendant’s motion is DENIED without prejudice.

**DISCUSSION**

The relief Defendant seeks is governed by two different statutes. The first, 28 U.S.C. § 2250, states that an indigent petitioner may be provided with free “copies of . . . documents or parts of the record on file.” The statute, however, applies only “on an[] application for a writ of habeas corpus.” *Id.* Defendant, as noted, has not filed an application for a writ of habeas corpus.

The second statute governing the relief the Defendant seeks is 28 U.S.C. § 753(f). In relevant part, § 753(f) provides:

Fees for transcripts furnished in proceedings brought under [28 U.S.C. § 2255] to persons permitted to sue or appeal in forma pauperis shall be paid by the United States

. . . if the trial judge or a circuit judge certifies that the suit or appeal is not frivolous and that the transcript is needed to decide the issue presented by the suit or appeal.

The Second Circuit has held that both “the plain language and necessary operation” of § 753(f) require that “a motion for a free transcript . . . is not ripe until a § 2255 motion has been filed.” *United States v. Horvath*, 157 F.3d 131, 132 (2d Cir. 1998) (per curiam). Because, as noted, Defendant has not filed a § 2255 motion, § 753(f) does not authorize the Court to provide Defendant with free transcripts.

If Defendant would like a copy of his docket sheet, or any other information contained in his docket, he must pay the appropriate fee to the Clerk of Court. See 28 U.S.C. § 1914. The fee for copies of the electronic docket sheet is \$0.10 per page. The cost for a copy of Defendant’s docket sheet in this case is \$3.40 (34 pages). Payment should be forwarded to the Clerk of Court and a copy of the docket will then be mailed to Defendant.

### **CONCLUSION**

For the reasons stated above, Defendant’s motion for free transcripts is **DENIED** without prejudice; and

It is **FURTHER ORDERED** that Defendant’s request for free copies of various docket items is **DENIED** without prejudice.

Dated: September 1, 2022  
Buffalo, New York

s/Richard J. Arcara  
HONORABLE RICHARD J. ARCARA  
UNITED STATES DISTRICT JUDGE